



IN THE CLAIMS

Please amend claim 26 as outlined in Appendix A, entitled "Claim Amendments", attached herewith.

REMARKS

Claims 26-31 are currently pending in the present application, which are directed to a process for preparing a storage-stable topical composition for treating a skin disorder or condition. Support for this amendment can be found in the original specification as filed at page 11, lines 17-23. The amendments to the claims do not introduce new matter within the meaning of 35 U.S.C. §132. Accordingly, entry of the amendments is respectfully requested.

1. Rejection of Claims 26-31 under 35 U.S.C. §103(a)

The Official Action states in the relevant part that claims 26-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baroody et al. (US 6,117,843).

As the basis of the rejection, the Official Action states in relevant part:

...Baroody does not teach the purity of benzoyl peroxide, viscosity of benzoyl peroxide, the percentage degradation of clindamycin or the amounts of benzoyl peroxide and clindamycin in the claimed standard deviation. However, Baroody also recognize the same factors i.e., pH, viscosity etc. that affect the stability (result-affective variables) of the composition and therefore it would have been obvious for one of ordinary skill in the art at the time of the instant invention was made to employ pure active compounds and optimize the general conditions such as viscosity, amounts of active agents with an expectation to achieve a composition that stable for long periods of time because the teachings of Baroody are also directed to preparing a storage stable composition comprising benzoyl peroxide and clindamycin and employed for the same purpose similar to the instant invention i.e., treatment of acne or